

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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KATHLEEN M. BROOKS et al.,

Plaintiffs,

v.

Case No. 06-C-996

GENERAL CASUALTY COMPANY  
OF WISCONSIN et al.,

Defendants.

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**ORDER**

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This matter came before the court on Defendant Portside Builder, Inc.'s motion to compel Harold Smith, President of Defendant Cedar Grove Resort, Inc., to sign authorizations for the release of his medical records for the past ten years, Cedar Grove's motion for a protective order concerning the same records, and Defendant Ferrellgas's motion for a protective order precluding the plaintiffs from deposing James Ferrell, Chairman of the Board of Ferrellgas. The motions were heard by the court on September 19, 2007. For the reasons set forth on the record,

**IT IS HEREBY ORDERED** that the motion of Ferrellgas for a protective order [133] precluding plaintiffs from deposing James Ferrell is **DENIED**.

**IT IS FURTHER ORDERED** that the Portside's motion to compel [201] is **GRANTED** and Cedar Grove's motion for a protective order concerning the medical records of Harold Smith [161] is **DENIED** except as follows:

All medical records obtained pursuant to the authorization provided by Mr. Smith shall be kept confidential for counsels' eyes only. This means that only counsel for the parties may have access to the records, along with necessary support staff and any consultants retained to assess and evaluate the records. In all other respects, the records obtained shall be handled in accordance with protective order previously entered by the Court.

Having concluded that the parties acted in good faith and that their respective positions were substantially justified, no costs or fees are awarded to any party.

Dated this 20th day of September, 2007.

s/ William C. Griesbach  
William C. Griesbach  
United States District Judge